

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
CHATTANOOGA DIVISION**

STACY STROBL and BRIAN
HARDING, on behalf of themselves and
all others similarly situated,

Plaintiffs,

v.

PAUL CROFT; JONATHAN FROST;
RHINO ONWARD INTERNATIONAL,
LLC; ROI FUND I, LLC; ROI FUND II,
LLC; ROI FUND III, LLC; ROI FUND
IV, LLC; BRIAN KAWAMURA; CROFT
& FROST, PLLC; THE WELL FUND
LLC; SCORPIO REF, LLC; MATTHEW
DIRA; THE DIRA GROUP; CHESTNUT
HOLDINGS, LLC; STEVEN FROST;
LISA FROST; JOSEPH
INVESTMENTS, LLC; JANE and
JOHN DOES 1-25,

Defendants.

Case No. 1:24-cv-00140

JURY DEMANDED

Judge: Curtis L Collier
Magistrate Judge: Christopher H
Steger

**RESPONSE TO SHOW CAUSE ORDER DE 54 AND
MOTION TO EXTEND TIME TO REQUEST ENTRY OF DEFAULT**

Plaintiffs Stacy Strobl and Brian Harding, on behalf of themselves and all others similarly situated ("Plaintiffs"), hereby respond to the Court's Show Cause Order (DE# 54) requesting additional time to file a Request for Entry of Default.

1. On July 2, 2024, the Court entered an order requiring Jonathan Frost, ROI Fund I, LLC, ROI Fund II, LLC, ROI Fund III, LLC, ROI Fund IV, LLC, Croft and Frost, PLLC, Chestnut Holdings LLC, Rhino Onward International, LLC and Scorpio Ref, LLC (the "Defaulting Defendants") to respond to the complaint or

“Plaintiffs shall move for entry of default pursuant to Rule 55(a) against any of the [Defaulting Defendants] who have not responded to the complaint.”¹

2. None of the Defaulting Defendants have responded to the complaint and Plaintiffs, for reasons stated in the accompanying Memorandum of Law in Support, failed to move for entry of default.

3. On July 23, 2024, the Court entered a Show Cause Order requesting the Plaintiffs show cause why the Defaulting Defendants should not be dismissed under Rule 41(b).²

4. This response and related Motion, now seeks a motion to extend the time to file a Motion for Entry of Default and contains the information necessary to enter default under Rule 55(a) against the Defaulting Defendants.

5. Accordingly, for the reasons set forth in the accompanying Memorandum of Law in Support, the Plaintiffs respectfully request that the Court allow Plaintiffs to seek an entry of default under Rule 55(a) against the Defaulting Defendants.

¹ DE# 41.

² DE# 54.

Dated: July 26, 2024

Respectfully submitted,

By: /s/ Benjamin A. Gastel
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CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of July, 2024, I electronically filed the foregoing documents using the Court's CM/ECF system, and a copy of this filing will be sent electronically to the registered participants as identified on the Notice of Electronic Filing. The following counsel will receive service either by U.S. Mail, pre-paid postage, and/or the Court's CM/ECF system at the email addresses listed below:

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